UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MINDEN PICTURES, INC.,

                              Plaintiff,

        -v-   CIVIL ACTION NO. 23 Civ. 10312 (DEH) (SLC)

                                                     SCHEDULING ORDER

SUP CHINA, INC.,

                              Defendant.

SARAH L. CAVE, United States Magistrate Judge.

This matter having been referred to me to conduct an inquest and to report and

recommend concerning Plaintiff's damages, it is hereby **ORDERED** that:

1.   By **May 22, 2024**, Plaintiff shall submit proposed findings of fact and

     conclusions of law concerning (i) Plaintiff's entitlement under Fed. R.

     Civ. P. 55(b)(2) to default judgment on the issue of Defendant's liability

     and (ii) Plaintiff's damages. Plaintiff must support all factual assertions

     concerning damages by affidavit and/or other evidentiary material.

     Plaintiff's requested attorneys' fees and costs must be recorded in the

     form below, adding fields as necessary, and supported by evidentiary

     material.

2.   Defendant shall submit its response, if any, to Plaintiff's submissions no

     later than **June 12, 2024**. IF DEFENDANT (1) FAILS TO RESPOND TO

     PLAINTIFF'S SUBMISSIONS, OR (2) FAILS TO CONTACT MY CHAMBERS

     BY **JUNE 12, 2024** AND REQUEST AN IN-COURT HEARING, I INTEND TO

     ISSUE A REPORT AND RECOMMENDATION CONCERNING DAMAGES

BASED ON PLAINTIFF'S WRITTEN SUBMISSIONS ALONE WITHOUT AN

IN-COURT HEARING. See Transatlantic Marine Claims Agency, Inc. v.

Ace Shipping Corp., 109 F.3d 105, 111 (2d Cir. 1997) ("'[I]t [is] not

necessary for the District Court to hold a hearing, as long as it ensured

that there was a basis for the damages specified in a default

judgment.'") (quoting Fustok v. ContiCommodity Services Inc., 873 F.2d

38, 40 (2d Cir. 1989)).

Plaintiff is directed to serve this Order on Defendant and file proof of service by no later

than **May 3, 2024.**

Dated: New York, New York
                May 1, 2024

SO ORDERED.

SARAH L. CAVE
United States Magistrate Judge

Requested Attorneys' Fees			
Timekeeper	**Requested Rate**	**Requested Hours**	**Requested Total**
		TOTAL:	

Requested Costs		
Type of Expense	**Evidence (with ECF cite)**	**Amount Requested**
	TOTAL:	